United States Department of Labor Employees' Compensation Appeals Board

G.S., Appellant)
and) Docket No. 21-1180
U.S. POSTAL SERVICE, RICHMOND PROCESSING & DISTRIBUTION CENTER, Sandston, VA, Employer) Issued: August 20, 2021)))
Appearances: Appellant, pro se Office of Solicitor, for the Director) Case Submitted on the Record

ORDER DISMISSING APPEAL

Before:
ALEC J. KOROMILAS, Chief Judge
JANICE B. ASKIN, Judge
PATRICIA H. FITZGERALD, Alternate Judge

On July 14, 2021 appellant filed an appeal from an August 11, 2020 decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards assigned Docket No. 21-1180.

The Board has duly considered the matter and notes that the Board has jurisdiction to review final adverse decisions of OWCP issued under the Federal Employees' Compensation Act.² For final adverse decisions of OWCP issued on or after November 19, 2008, the Board's review authority is limited to appeals which are filed within 180 days from the date of issuance of OWCP's decision.³

¹ The Board notes that appellant's AB-1 Form requests an appeal from a purported June 30, 2021 decision; however, this correspondence was informational in nature and, therefore, does not constitute a final adverse decision by OWCP. The most recent final adverse decision of record is the August 11, 2020 decision.

² 5 U.S.C. § 8149; 20 C.F.R. §§ 501.2(c) and 501.3(a) (2009).

³ *Id.* at § 501.3(e).

The 180th day following the August 11, 2020 decision was February 7, 2021. As appellant did not file an appeal with the Board until July 14, 2021, more than 180 days after the August 11, 2020 OWCP decision, the Board finds that the appeal docketed as No. 21-1180 is untimely filed. The Board is without jurisdiction to review the appeal. Appellant has not offered a reason to explain the failure to timely file an appeal with supporting documentation sufficient to establish compelling circumstances.

The Board's decisions and orders are "final upon the expiration of 30 days from the date of their issuance."⁴

IT IS HEREBY ORDERED THAT the appeal docketed as No. 21-1180 is dismissed.

Issued: August 20, 2021 Washington, DC

> Alec J. Koromilas, Chief Judge Employees' Compensation Appeals Board

> Janice B. Askin, Judge Employees' Compensation Appeals Board

Janice B. askin

Patricia H. Fitzgerald, Alternate Judge Employees' Compensation Appeals Board

⁴ *Id.* at § 501.6(d).